



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 20, 2008

Ms. Linda Holst
Water Division, Water Quality Branch, Chief
United States Environmental Protection Agency Region 5
77 West Jackson Boulevard (WQ-16J)
Chicago, IL 60604-3590

**Re: In the Matter of: Revisions to Water Quality Standards for Total
Dissolved Solids in the Lower Des Plaines River ExxonMobil Oil
Corporation: Proposed New 35 Ill. Adm. Code 303.445, Pollution Control
Board docket number R06-24.**

Dear Ms. Holst:


The Illinois Attorney General's Office has reviewed Illinois Pollution Control Board ("Board") docket R06-24 for compliance with Illinois state law. Docket R06-24 revises the State of Illinois' water quality standards for total dissolved solids ("TDS") in a portion of the Des Plaines River during the months of November through April each year, by setting a site specific standard that would apply in lieu of the Board's TDS water quality standards for General Use waters and Secondary Contact and Indigenous Aquatic Life Use waters. This petition for a site specific rule change was submitted to the Board on February 7, 2006 by ExxonMobil Oil Corporation. Pursuant to 5 ILCS 100/5-40, the Joint Committee on Administrative Rules determined on February 6, 2007 that no objection to this rulemaking would be issued. On March 16, 2007, the Board's final regulation was published at 31 *Ill. Reg.* 4440.

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Rec'd in WQB

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Pursuant to 40 CFR 131.6, the Illinois Attorney General's Office certifies that the new water quality standard within Board docket R06-24 was duly adopted pursuant to the rulemaking procedures of Illinois state law. This certification pursuant to 40 CFR 131.6 does not address the substance of the underlying rule. Please contact me if you have any questions or concerns regarding this matter.

Sincerely,



Matthew J. Dunn, Chief
Environmental Enforcement/Asbestos
Litigation Division
Illinois Attorney General's Office
69 West Washington Street, Suite 1800
Chicago, IL 60602
312-814-2521

cc: Robert A. Messina, Chief Legal Counsel, Illinois EPA
Deborah J. Williams, Assistant Legal Counsel, Illinois EPA
RoseMarie Cazeau, Chief, Environmental Bureau North, Illinois AGO
Andrew Armstrong, Assistant Attorney General, Illinois AGO